

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

\_\_\_\_\_  
PAN AMERICAN AIRWAYS CORP.,

Plaintiff/Counter-Defendant

v.

ROBERT E. BARNES

Defendant/Counter-Plaintiff  
\_\_\_\_\_

Case No. 04-CV-10515JLT

**DEFENDANT'S MOTION FOR LEAVE TO FILE PARTIAL SUMMARY JUDGMENT  
ON COUNTS I AND II OF PLAINTIFF'S SECOND AMENDED COMPLAINT.**

NOW COMES Defendant, Robert E. Barnes, by and through his attorney, and hereby moves this Court, pursuant to this Court's order issued May 16, 2005 and Fed. R. Civ. P. 7(b), for leave to file a motion for partial summary judgment pursuant to Rule 56(c) and Local Rule 56.1. Pursuant to Local Rule 7.1(A)(2), counsel hereby certifies that he and counsel for the Plaintiff have conferred and attempted in good faith to resolve or narrow the issue.

Respectfully submitted,

Dated: September 20, 2005



Peter Piel  
Law Office of Peter Piel  
800 Turnpike Street, Suite 300  
North Andover, MA 01845  
978-794-5513  
BBO # 639070